



# **Montana Fish, Wildlife & Parks**

## **MONTANA WOLF PROGRAM WEEKLY REPORT**

To: Interested Parties

From: MFWP Wolf Program Coordinator, Carolyn Sime

Subject: Wolf Program Activities and Related Information, October 18 - 24, 2008

Contributors to the Montana Wolf Weekly are Montana Fish, Wildlife and Parks (FWP), Universities, USDA Wildlife Services (WS), the National Park Service (NPS; Glacier NP; Yellowstone National Park will be reported in the Wyoming Wolf Weekly), US Forest Service, Confederated Salish and Kootenai Tribes, and the Blackfeet Nation.

Highlighted activities relate to: monitoring, wolf – livestock interactions, outreach and education, research, law enforcement, and other miscellaneous topics of public interest. The Weekly Report will be available on each Monday, covering the previous week. It and other wolf program information (including the 2007 annual report) can be found at: <http://fwp.mt.gov/wildthings/wolf/default.html>.

### **Wolf Monitoring Activities**

Most field work to trap wolves is done for the year due to the big game hunting season and colder temperatures. Opportunities may arise for trapping activities on private lands and as weather allows. FWP was able to document and place radio collars in several new packs this field season. Additional packs could be verified based on the public reports from hunters. Here's a list of some of the new packs so far (some have collars and some don't): Centennial (SWMT), Cameron Creek (W MT), Slip N Slide (SWMT), Cilly (NWMT), Spar Lake (NWMT), Silver Lake (NWMT), Sage Creek (SWMT), Horse Creek (SWMT), Jack Creek (SWMT), Bitterroot Range (NWMT), Toadflax (SWMT), Black Mtn (SWMT). FWP has also been able to confirm that other suspected packs do not actually exist, and that some previously verified packs no longer exist (about 8 packs fall into this category). Between now and the end of the year, public reports and snow cover will help FWP get more reliable pack counts as well as determine the status of either uncollared / known packs or suspected packs.

Flights: Bradley flew on October 22/23. Asher flew on October 22.

FWP encourages hunters, landowners, and other outdoor enthusiasts to report wolves through the online reporting button or to send in one of the pre-printed postcards available at all FWP offices, many US Forest Service offices, and license providers throughout the state. Information provided by the public helps FWP more accurately monitor wolf numbers and distribution in Montana.

## **Wolf - Livestock Activities**

The Skalkaho control action is still ongoing. The sole remaining radio-collared yearling male wolf in this pack has still been hanging around the ranch but recently has only been found to be alone. There should still be at least 3-4 uncollared wolves in this pack whose whereabouts are currently unknown.

On the 17<sup>th</sup>, WS confirmed that wolves had killed 16 sheep on private land south of Grant (southwest Montana). Tracks indicated at least 2 wolves were involved. WS will attempt to collar and release a wolf as no known packs are in the area. FWP/WS also reviewed the 10j regulations with the producer. On the 18<sup>th</sup>, wolves returned to pasture where the sheep were and 1 wolf was killed in the sheep. The sheep producer notified FWP right away and FWP notified USFWS LE. FWP LE retrieved the carcass and the case is under investigation. Efforts to collar/release a wolf are ongoing.

On the 18<sup>th</sup>, WS received a call from a producer on the NE end of the Centennial Valley that a calf had been injured. On 10/21, WS looked at the calf that had died from its injuries and confirmed it was a wolf kill. This area could be the territory of 2 different packs, the Horn Mountain or Centennial Pack. Chad listened for all radioed wolves and none were heard. The cattle will be in this area until approximately 10/24. FWP authorized the removal of 1 wolf, preferably an uncollared animal. When WS initiates the action, they will decide which pack to target based on which radioed pack is closest to the depredation site. The producer has also been issued a SOS permit.

On the 19<sup>th</sup>, WS confirmed 1 guard dog and 1 goat were killed in Rattlesnake Creek near Wilborn (Northwest of Helena) on private land by a wolf or wolves. Also on Oct. 19, WS confirmed 1 guard dog and 1 goat were injured by a wolf or wolves in the same area. This occurred on the same ranch as where losses were confirmed previously and new pair is suspected. FWP authorized that one wolf be collared and one wolf be lethally removed. On Oct. 20, WS collared one female pup and killed one adult female from the Rattlesnake Creek area.

On the 19<sup>th</sup>, the same rancher who lost sheep to wolves on the 9<sup>th</sup> near Hall, heard a commotion in his sheep pasture and saw a single black wolf harassing his sheep. He shot at the wolf 3 times but missed. Wildlife Services already had traps on the property to try to deploy a radio-collar and after this incident set several more.

On the 20<sup>th</sup>, WS confirmed that a cow was injured by a wolf or wolves east of Wisdom on the same ranch where 2 adult cows were confirmed killed last week. The injured cow had to be euthanized. A second cow was reported as injured by the ranch manager but it could not be located by WS and was not investigated. Because of ongoing wolf activity in the area and the additional attacks FWP increased the total number of wolves that could be removed by WS from 1 to 2. The SOS permit issued to the livestock owner was revised to reflect that a total of 2 wolves could be removed. Efforts to try and collar/release a wolf from this unknown pack are ongoing.

## **Outreach and Education Activities**

On the 24<sup>th</sup>, Sime and USDA Wildlife Services State Director John Steuber attended the second meeting of the Montana Livestock Loss Reduction and Mitigation Board in Helena. They each gave updates on the respective agency's work relative to wolf conservation and management in Montana. There were about 4 members of the public in the audience, but the meeting was also held in a room in the state capitol that had Internet capability so that anyone with Internet access could listen on a computer. The number of people who did is unknown. Due to some apparent confusion, Steuber

provided information on probable and confirmed livestock injuries and deaths due to wolves in Montana according to federal fiscal year and calendar year – these numbers reflect workload on the part of USDA Wildlife Services to conduct investigations and livestock losses that are eligible for reimbursement through the state’s program, as well as reflecting a more complete picture of wolf damage to livestock. In its annual report, FWP and other states report the number of livestock confirmed killed and the number of wolves killed. These are the numbers which have been tallied most consistently through 25 years, provide a common data point and benchmark for comparison across the northern Rockies region and through time, and are the basis for authorizing lethal control in response to damage. Federal regulations require that losses are confirmed prior to using lethal control to address a conflict – whether by FWP now or by USFWS in past years.

### **Research Activities**

Nothing to Report.

### **Law Enforcement and Related Activities**

Nothing to report.

### **Other**

FWP and the FWP Commission approved the amendments to ARM 12.2.501 and 12.5.201 and the adoption of NEW RULES I through IV (12.9.1301 through 12.9.1305) at the September 25, 2008 Commission meeting. FWP and the Commission amended the rules from the original proposal notice to provide a date the rules will be applied. The new administrative rules were in effect on October 10, 2008 but will not be applied until the date the gray wolf in Montana is no longer subject to federal jurisdiction under the Endangered Species Act. The rule proposal notice and adoption can be found in the ARM Rule section of FWP's website.

### **Wolf Litigation:**

On Friday July 18, 2008, the U.S. Federal District Court in Missoula, Montana, issued a preliminary injunction that immediately reinstated temporary Endangered Species Act protections for gray wolves in the Northern Rockies. The Court found that: 1) Plaintiffs were likely to prevail on the merits of their claim that the NRM gray wolf had not met its recovery criteria due to a lack of genetic exchange between the Greater Yellowstone Area (“GYA”) and the other northern Rocky Mountain populations; 2) Plaintiffs were likely to prevail on the merits of their claim that Wyoming's 2007 regulatory framework was an inadequate regulatory mechanism; and 3) immediate potential harm existed because of lax defense of property statutes and public hunts planned for Fall 2008.

On September 22, 2008, the federal government requested that the Court allow it to voluntarily withdraw its decision to delist wolves and re-evaluate information and make a new decision. The USFWS had concluded that this was the best and most timely way to resolve the issues flagged in the injunction ruling and on which the Court had indicated it was likely to rule against the federal government. USFWS asked to get the final rule back in its hands to closely review the Court's ruling, the final rule, the administrative record, any new information, and then consider whether modifications or some other action might be warranted. USFWS had also stated its intent to conduct further rulemaking – that is to consider any new information and possibly solicit public comment on any new information and revise its final decision.

On October 14, 2008 the court granted the request. In granting the request, the Court officially relisted wolves as endangered across northern Montana and experimental, non-essential across southern Montana under the federal Endangered Species Act. Wolves were also returned to the federally-listed status in Idaho, Wyoming, Utah, Oregon, and Washington. The Court also dismissed the case without considering its merits, ending the lawsuit.

NEW -- Delisting Update:

On October 24, 2008 the U.S. Fish and Wildlife Service announced it is reopening the public comment period on its proposal to delist the gray wolf in the northern Rocky Mountains. Through a notice in the Federal Register scheduled to publish on October 28, 2008, USFWS is asking the public to provide comments and any additional information on the February 2007 proposal to delist wolves. The Service is seeking additional information on a variety of topics related to the delisting. More details are available in the Federal Register notice which will be posted along with associated materials at the Service's northern Rocky Mountains wolf website: <http://westerngraywolf.fws.gov>.

The public will have until November 28, 2008, to submit their comments to the Federal eRulemaking Portal at <http://www.regulations.gov> or via U.S. mail or hand delivery to: Public Comments Processing, Attn: RIN 1018-Au53; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

Current Management in Montana:

FWP, through an interagency cooperative agreement, is still the lead agency for all wolf conservation and management (within the bounds of federal regulations) so long as adequate federal funding continues to be made available. FWP will continue to monitor wolves, do public outreach, and guide and direct research activities. No public hunting or trapping is allowed. USDA Wildlife Services is still the agency to investigate causes of injured or dead livestock and carry out FWP's decisions to address conflicts, as guided by federal regulations. Montana will continue to stay involved in litigation and any future delisting developments and will continue to seek the most efficient, successful path to delisting. FWP will also continue its collaborative work with Montana Tribes, other state and federal agencies, and the Montana Livestock Loss Reduction and Mitigation Program.

Check the wolf pages on the FWP website for important information and updates:  
<http://fwp.mt.gov/wildthings/wolf/default.html>.

Montana Livestock Loss Reduction & Mitigation Board:

The Board held its second meeting on October 24 in Room 152 of the State Capitol Building. The Board received updates on their budget, fundraising, the status of a bill introduced to the US Senate by Jon Tester (co-sponsored by Senators Baucus, Barasso, Craig, and Smith) to provide up to \$1 million of federal funding through a grant program to fund mitigation measures and reimbursement for wolf-caused livestock damage, the activities of USDA Wildlife Services (Steuber) and FWP wolf management (Sime), reviewed and discussed specific claims, legislation, and legislation. The Board approved an agreement between the Board and the Blackfeet Nation that provides that livestock owners within the reservation boundaries of the Blackfeet Reservation are eligible to participate in the both the mitigation and reimbursement aspects of the state program. (The Blackfeet Nation had recently completed a wolf management plan, paving the way for participation in the state program). The agreement is for 5 years and may be revised / renegotiated upon request by either party during the

interim). The Blackfeet Nation is the only Tribe in Montana so far to complete a plan and sign such an agreement with the Board. Claim procedures are the same for livestock owners within Blackfeet Reservation Boundaries as for livestock owners off the reservation.

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To learn more about Montana's wolf population, the Montana program and to help FWP monitor wolves by reporting wolf sign, visit FWP at: [www.fwp.mt.gov/wildthings/wolf](http://www.fwp.mt.gov/wildthings/wolf).

To anonymously report a dead or injured wolf or suspected illegal activity, call: 1-800-TIP-MONT.

To request an investigation of injured or dead livestock, call USDA Wildlife Services directly in western Montana / Helena area at 458-0106 or in eastern Montana / Columbus area at: 322-4303. Or call your nearest FWP representative to have your call referred to Wildlife Services.

If you have a confirmed or probable livestock loss due to wolves, USDA Wildlife Services will supply you with a copy of the Loss Reimbursement Application form. For more information, see <http://liv.mt.gov/liv/LM/index.asp>. Or, contact the Livestock Loss Reduction and Mitigation Program Coordinator George Edwards at the Montana Department of Livestock at 444-5609.